

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ODDIS VERMONT COLE,
Plaintiff,
v.
F. GUILLEN, et al.,
Defendants.

Case No. [15-cv-03436-DMR](#) (PR)

ORDER OF TRANSFER

On July 27, 2015, Plaintiff, a state prisoner, filed a *pro se* civil rights action pursuant to 42 U.S.C. § 1983. Dkt. 1. Plaintiff has also submitted an *in forma pauperis* application. Dkt. 2.

Plaintiff has consented to magistrate judge jurisdiction in this action. Dkt. 1 at 4.

A review of Plaintiff's case reveals that he has initiated his civil action in the wrong judicial district. The acts complained of occurred at California State Prison - Solano, which is located in the Eastern District of California, and it appears that Defendants reside in that district. Venue, therefore, properly lies in that district and not in this one. *See* 28 U.S.C. § 1391(b).

Accordingly, in the interest of justice and pursuant to 28 U.S.C. § 1406(a), this action is TRANSFERRED to the United States District Court for the Eastern District of California.¹ The Clerk shall transfer the case forthwith.

Any remaining motions are TERMINATED on this Court's docket as no longer pending in this district. Dkt. 2.

IT IS SO ORDERED.

Dated: October 2, 2015



DONNA M. RYU
United States Magistrate Judge

¹ Venue transfer is a non-dispositive matter and, thus, it falls within the scope of the jurisdiction of the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(A).

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Case No. [4:15-cv-03436-DMR](#)

CERTIFICATE OF SERVICE

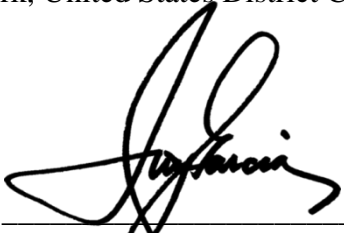
I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on October 2, 2015, I SERVED a true and correct copy(ies) of the Order of Transfer, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Oddis Vermont Cole
K43562
California State Prison Solano
PO Box 4000
Vacaville, CA 95696

Dated: October 2, 2015

Susan Y. Soong
Clerk, United States District Court

By: 
Ivy Lerma Garcia, Deputy Clerk to the
Honorable DONNA M. RYU